

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
)
)
 v.) No. 11-4016-01-CR-C-NKL
)
)
TERRENCE LAMAR HAWKINS,)
)
)
 Defendant.)

REPORT AND RECOMMENDATION

On October 26, 2011, defendant Terrence Lamar Hawkins filed a second pro se motion to dismiss the indictment. On May 3, 2011, the Court entered a Scheduling and Trial Order. In Section VI, paragraph A, the court ordered as follows:

For defendants who are represented by counsel, the Court will only accept pretrial filings made by counsel. Pro se filings **will not** be accepted for defendants who are represented by counsel.

Defendant is currently represented by Assistant Federal Public Defender Troy K. Stabenow. Defendant's pro se motion to dismiss is in violation of the Court's Scheduling and Trial Order and should be dismissed for this reason as well.

IT IS, THEREFORE, RECOMMENDED that defendant Terrence Lamar Hawkins' motion to dismiss be denied. [24]

Counsel are reminded they have fourteen days from the date of receipt of a copy of this Report and Recommendation within which to file and serve objections. A failure to file and serve exceptions by this date shall bar an attack on appeal of the factual findings in the Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice.

Dated this 28th day of October, 2011, at Jefferson City, Missouri.

/s/ Matt J. Whitworth

MATT J. WHITWORTH
United States Magistrate Judge